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ALLSTATE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRIAN MANNING,

No. 3:08-cv-00238-JSW

Plaintiff,

RULE 41(a)(1) STIPULATION TO DISMISS
WITH PREJUDICE ; ORDER

vs.

ALLSTATE INSURANCE COMPANY,
and Does 1-30, Inclusive,

Defendants.

1 NOW INTO COURT, comes Plaintiff, Brian Manning, through undersigned counsel,
 2 and Defendant, Allstate Insurance Company ("Allstate), in its capacity as a Write Your Own
 3 ("WYO") Carrier and issuer of Plaintiff's Standard Flood Insurance Policy, and moves to
 4 dismiss, pursuant to F.R.C.P., Rule 41, the Plaintiff's claims asserted in his original Complaint
 5 against Allstate in its capacity as a WYO program carrier under the National Flood Insurance
 6 Program and as issuer of Plaintiff's Standard Flood Insurance Policy bearing number
 7 1802823235 for the following reasons:

8 1.

9 Plaintiff's claims against Allstate have been resolved since the filing of the lawsuit.

10 2.

11 Plaintiff desires and is entitled to have his claims asserted in the original Complaint against
 12 Allstate dismissed with prejudice with each party to bear its own costs.

13 3.

14 Counsel for the Plaintiff and Allstate have conferred and consent to the filing of this
 15 stipulation of dismissal.

16 4.

17 WHEREFORE, Plaintiff prays that all claims against Allstate Insurance Company asserted
 18 by Plaintiff under the Standard Flood Insurance Policy issued by Allstate in its capacity as a WYO
 19 carrier be dismissed with prejudice, each party bearing its own costs.

20 Dated: November 13, 2008

21 Respectfully submitted,
 22 SONNENSCHEIN NATH & ROSENTHAL LLP

23 By _____/s/
 24 SONIA MARTIN

25 Attorneys for Defendant
 26 ALLSTATE INSURANCE COMPANY

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Dated: November 13, 2008

Respectfully submitted,
INSURANCE LITIGATORS & COUNSELORS

By _____ /s/
JOSEPH JOHN TURRI

Attorneys for Plaintiff
BRIAN MANNING

IT IS SO ORDERED:

Edward M. Chen
U.S. Magistrate



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